Land Development Code Improvement Committee Main Committee Meeting





Louisville Metro Planning & Design Services

December 3, 2013

LDC Improvement Committee

AGENDA

- INTRODUCTIONS/ANNOUNCEMENTS
- FORM DISTRICTS SUB-COMMITTEE RECOMMENDATIONS (ITEMS #2-9) 3:00 4:00
- TRANSPORTATION SUB-COMMITTEE RECOMMENDATIONS 4:00 5:00
- NEXT SCHEDULED COMMITTEE MEETING
 TUESDAY, DECEMBER 17, 2013
 3:00 5:00 PM
 METRO DEVELOPMENT CENTER
 444 SOUTH FIFTH STREET
 FIRST FLOOR CONFERENCE ROOM



LDC Timeline

- Complete all LDC Main Committee meetings by Jan. 31, 2014
- Feb 2014 Planning Commission public hearing
- Mar 2014 Metro Council begin reviewing Round Two proposal
- Remaining LDC Main Committee Meetings

December 3 - Form DistrictsTransportation

December 17 - Transportation Landscaping

January 7 - Landscaping

January 21 - Wrap Up Meeting



Miscellaneous Research Sub-committee Report

<u>Item #21 - Stream Buffer Across Property Lines & Top of Bank</u>

<u>Determination</u> (Deferred indefinitely to obtain feedback from MSD regarding impacts of intermittent stream changes in #2 below)

- The following changes are proposed for Section 4.8.3 Protected Waterways, which is the portion of the LDC that explains how the boundaries of required stream buffers are delineated.
 - 1) The amendment to the definition of perennial stream discussed in Item #6 of this report triggered the elimination of the reference to U.S.G.S maps in Section 4.8.3.A.1.
 - 2) Intermittent streams are now required to have a Type A buffer area (25') as required by this section.
 - 3) In Section 4.8.3.C.1, additional language has been added that allows the Planning Director, with input from Army Corps of Engineers, United States Geological Survey, Kentucky Division of Water, the Metropolitan Sewer District, the Natural Resources Conservation Service or other informed parties, to make a final determination as to where a certain stream "top of bank" is located.
 - 4) In Section 4.8.3.D, a new statement is being added to further explain that the stream buffer requirements of this section apply even when streams and their required parallel buffers cross property lines.



Miscellaneous Research Sub-committee Report

<u>Item #21 - Stream Buffer Across Property Lines & Top of Bank</u> <u>Determination</u>

MSD's response to intermittent stream proposal

Email from David Johnson, MSD, dated 11/13/13:

"I have spoken to Steve Emly (MSD Director of Engineering) regarding this change and what thoughts or input MSD may have.

Currently we regulate and enforce the Louisville Metro Floodplain Ordinance. Within that Ordinance there is a stream buffer requirement as follows:

For solid blue line streams, "a natural vegetation buffer strip shall be preserved at least 25 feet on each side of the stream bank as defined by the hydraulic model of the channel. In areas not already disturbed by urban, suburban, or agricultural land uses, prior to the effective date of this Ordinance, existing natural vegetation over story and under story trees shall be preserved and shrubs and ground covers shall be maintained along the stream bank sufficient to naturally maintain the integrity of the stream."

If we supported any changes as proposed in the Land Development Code, we would amend the Ordinance to include such changes. MSD currently has no recommendation on the proposed language in the Land Development Code since it is not regulated or enforced by MSD.

Hope this helps and let us know if we can be of any assistance."



ITEM #2 - Gas Pump Setback Requirement

- The gas pump setback requirements listed in the section below have been revised as shown to read more clearly.
- Section 5.1.7 General Provisions
 - J. When front or street side yards are required in a district in which automobile service stations are permitted, gGasoline pump islands and pumps may be placed on the premises provided they are shall be set back at least 15 feet from the right-of-way line, or shall comply with the setback requirement listed for the applicable form/zoning districts, whichever is greater. Where no front or street side yards are required, gasoline pumps and pump islands shall be at least 10 feet from the right-of-way line.



ITEM #3 - Building Height Calculation

- The building height calculation method found in Section 5.1.7.K (see report for exact text changes) is often described as confusing and in need of further clarification. The following changes are proposed to Section 5.1.7.K:
 - 1. Addition of "existing natural" to the reference to "grade" to further clarify that the measurement should begin at the pre-development grade rather than the post-development grade.
 - 2. Remove the qualifier that there must be a grade change in the vicinity within the specified traditional form districts in order to use the mean elevation of the established grade of the abutting parcels when determining the starting measurement point for the subject property. This technique will now apply to all properties within the specified traditional form districts whether a grade change is present or not.



ITEM #4 - Setbacks Adjacent to Zoning Boundary Lines or Property Lines?

- The LDC is not clear on whether setback requirements should be applied to either side of a zoning boundary line when the zoning line is not located on a property line. This issue may have been interpreted inconsistently by staff in the past. Clarifying language is necessary within the LDC to eliminate any confusion on the issue. The sub-committee proposes to add the following statement to Section 5.1.10 in a new paragraph "G".
- Section 5.1.10 General Provisions (Exceptions)
 - G. In cases where a zoning district boundary line is not located on a property line, there shall not be required setback areas applied along either side of the zoning district boundary line. Transition zone requirements found in Chapter 5 Part 7 may still be applicable in the vicinity of a form district boundary line whether it is located on a property line or not.



ITEM #5 - Suburban Forms - Maximum Setbacks Adjacent to Parkways

- There is a conflict related to setback requirements in situations where suburban non-residential development proposals are located directly adjacent to an LDC designated parkway. Table 5.3.2 shown below includes a maximum front setback requirement of 80' for non-residential buildings with a footprint less than 30,000 square feet. Table 10.3.1 requires a 30' setback/buffer for non-residential development on a designated parkway.
- The 30' parkway setback/buffer requirement significantly prohibits site layout options in these situations. It is virtually impossible to fit a building and a drive aisle with a row of parking spaces on each side within the 80' limitation while also observing the 30' parkway buffer.
- To increase the site design options in such situations the sub-committee suggests increasing the maximum setback from 80' to 95' for building footprints less than 30,000 square feet *only when adjacent to a parkway*. This setback will remain 80' for all other properties not located on a parkway. This extra 15' will more easily allow a building, drive aisle and two rows of parking spaces to be located beyond the 30' parkway setback requirement while still complying with the new 95' maximum building setback requirement. Changes to Table 5.3.2 shown below.

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Maximum Building Footprint	Min. Front and Street Side Setback	Max. Front and Street Side Setback	Non-Res to Res Setback (No Loading)	Non-Res to Res Setback (Loading)	Max. Building Height	Max Building Height: Residential Top Floor
Up To 5,000 SF	10 ft	<u>80 ft*</u>	15 ft	25 ft	25 ft	35 ft
5,001 to 30,000 SF	10 ft	<u>80 ft*</u>	30 ft	50 ft	30 ft	40 ft
30,001 to 80,000 SF	10 ft	150 ft	50 ft	75 ft	35 ft	45 ft

^{*} The maximum front and street side setback requirement for non-residential uses shall be 95 feet when the subject property is located on a parkway, as designated within Chapter 10 of this Land Development Code.

ITEM #6 - Transition Zone Setbacks

- A concern was raised that there could potentially be a situation where the non-transition zone setback requirements are more restrictive than the transition zone dimensional requirements. The sub-committee suggests adding the language shown below that indicates that the more restrictive regulations shall be applied to the situation.
- Section 5.7.1.B.2 Transition Zone Design Standards
 - 2. Setback The front and street side setback within a Transition Zone shall equal the setback of adjacent properties (based on the appropriate setback table listed within the applicable form district) that are within the Group A form district when sites in different form districts share a common street frontage (common street frontage refers to properties on the same side of the street). Where sites in different form districts share a common rear property line or are separated by an alley, the rear yard setback of the adjacent property within the Group A form district shall apply. If the non-transition zone setback requirements found in a separate section of this Land Development Code are more restrictive than the transition zone setback requirements as specified by this section, then the more restrictive requirements shall apply.



ITEM #7 - Form District Threshold Tables

The sub-committee recommends the following changes to the format of Chapter 5 including the threshold tables:

- 1. Moving the contents of Parts 4, 5, 6 & 7 into each form district section rather than each Part having its own section within Chapter 5. No content changes associated with this change.
- 2. The following changes will be made to all applicable threshold tables. Traditional Neighborhood Form District threshold table shown on next slide as example.
 - a) Allowing a non-residential building footprint up to 2,000 SF (previously 1,000 SF) to be a Category 2A review.
 - b) 10-16 multi-family units can now be developed as a Category 2B plan. Previously 10 or more multi-family units was required to be a Category 3 plan.



ITEM #7 - Form District Threshold Tables (cont.)

TNFD Table 5.2.3 Thresholds	Part 4 Residential Site Design	Part 5 Non-Residential and Mixed-Use Site Design	Part 6 Building Design	Part 7 Transition	Part 8 Street and Road-side Design	Part 9 Transit and Connection	Part 10 Traffic Impacts	Part 11 Open Space	Part 12 Special Design Requirement
Category 2A									
Accessory Structure: New or Expansion (Residential)	X								
Accessory Structure: New or Expansion (Non-Residential)		X							
Construction of less fewer than 10 multi-family dwelling units	x				x				
Construction of non-residential building footprint less than 4,000 2,000 square feet		х							
Expansion to the building footprint of an existing residential dwelling (principal structure)	х								
Construction of a single family dwelling on existing lot.	x				x				
Creation of 5 or fewer single- family residential lots	х								
Category 2B									
Construction of 10 or more off- street parking spaces		x			x	х			
Construction of 10-16 multi- family residential dwelling units	x		x		x	x	x	x	
Construction of non- residential/mixed use building footprint between 1,000 2,000- 5,000 square feet		x	x	x	x	x			
Category 3									
Creation of more than 5 residential lots	X				X	x	x		
Construction of 40 17 or more multi-family residential dwelling units	x		x		x	x	x	x	
Creation of more than 5 non- residential lots		x		x	x	x	x		
Construction of non- residential/mixed use building footprint between 5,001 – 30,000 square feet		x	x	x	x	x	x		
Construction of non- residential/mixed use building footprint in excess of 30,000 sf.		х	x	x	x	x	x		x



ITEM #8 - Non-Residential Corner Lots in Traditional Form Districts

- The following change is proposed to increase flexibility in the location of non-residential buildings on corner lots in traditional form districts.
- Section 5.5.1.A.2 Traditional Form Districts, General Design Standards, Building Location and Orientation
 - 2. Corner Lots. On corner lots, the building shall be constructed at the <u>no more than five</u> <u>feet away from the</u> right-of-way line along both of the streets. Lots with more than one street corner shall build to the corner that contains frontage on the primary street. Additional buildings on the multi-corner lot shall be built to the secondary corner. The intersection of a street with an alley shall not be considered a street corner. Exceptions: 1) if a principal building or tenant entrance is at the corner, the angular façade containing the entrance may be recessed a maximum of 15 feet from the intersection of the two right-of-ways lines; 2) if the sidewalk abutting the corner property is less than the sidewalk width required by the applicable form district, the building may set back to permit the construction of the required sidewalk.



ITEM #9 - Recommended Future Efforts

The sub-committee believes there are two subjects that warrant additional review, but recognizes the pending deadline of this LDC Round Two effort. Therefore, the sub-committee recommends that the LDC Main Committee direct PDS staff and others to initiate the following projects:

- 1. PDS staff should analyze the appropriateness of all form district classifications throughout Louisville Metro. Public involvement in this process shall be required. Any proposed changes to specific form district designations shall be presented to the LDC Improvement Committee or the Planning Committee of the Planning Commission for discussion prior to being forward to the Planning Commission for consideration.
- 2. PDS staff and any other interested parties should immediately begin analyzing the benefits of the creation of a Rural Form District. Cornerstone 2020 would be required to be amended to reflect the concept of a rural form district before the contents of such a form district could be written and inserted into the Land Development Code. Findings of this study group shall be reported to the LDC Improvement Committee or the Planning Committee of the Planning Commission for discussion prior to being forwarded to the Planning Commission for consideration.



- This sub-committee was charged with reviewing Chapter 5 (Form District Regulations), 6 (Mobility Standards) and 9 (Parking and Loading) of the Land Development Code (LDC)
- Objective of making suggestions to improve various regulations and polices related to transportation issues
- Met 14 times between June 13, 2012 and July 24, 2013
- 48 recommendations listed in this report are the result of the efforts of this sub-committee based upon discussion and research completed by the Committee. Research was conducted by the group into identified peer cities of Louisville and other cities with either a similar size or extensive guidelines regarding transportation issues
- Items split into sections by chapter with each of the recommendations related to the three chapters under the jurisdiction of the Transportation subcommittee



ITEM #1 - Consolidation of 5.8 (Street and Roadside Design Standards), 5.9 (Transit and Connection Standards) and 5.10 (Traffic Impacts)

The existing three sections of Chapter 5 are recommended to be consolidated into one section that takes into account all forms of mobility in the Louisville Metro area. This section of Chapter 5 would address and outline when items are required and the details of installation or design would

Chapter 5

move	e to	Cha	pter	6.

hapter 5	Form District Regulations				
	Part 1	General Provisions	5.1-1		
	Part 2	Traditional Form Districts	5.2-1		
	5.2.1	Downtown Form District	5.2-1		
	5.2.2	Traditional Neighborhood Form District	5.2-5		
	5.2.3	Traditional Marketplace Corridor Form District	5.2-12		
	5.2.4	Town Center Form District	5.2-15		
	5.2.5	Traditional Workplace Form District	5.2-19		
	5.2.6	Village Form District - CENTER	5.2-22		
	Part 3	Suburban Form Districts	5.3-1		
	5.3.1	Neighborhood Form District	5.3-1		
	5.3.2	Suburban Marketplace Form District	5.3-11		
	5.3.3	Regional Center Form District	5.3-14		
	5.3.4	Suburban Workplace Form District	5.3-17		
	5.3.5	Campus Form District	5.3-20		
	5.3.6	Village Form District - OUTLYING	5.3-24		
	Part 4	Residential Site Design Standards	5.4-1		
	5.4.1	Traditional Form Design Standards	5.4-1		
	5.4.2	Suburban Form Design Standards	5.4-9		
	Part 5	Non-Residential/Mixed Use Site	5.5-1		
		Design Standards	5.5-1		
	5.5.1	Traditional Form Design Standards	5.5-1		
	5.5.2	Suburban Form Design Standards	5.5-4		
		Mixed Use Development	5.5-5		
	5.5.4	Form District Specific Compatibility Standards	5.5-6		
	Part 6	Building Design Standards	5.6-1		
	Part 7	Transition Standards	5.7-1		
	Part 8	Mobility Standards			
		Streets and Road-Side Design	5.8-1		
		Standards			
	Part 9	Transit and Connection Standards	5.9-1		
	Part 10	Traffic Impacts	5.10-1		
	Part 44 9	Form District Open Space Standards	5.11-1		
	Part 42 10	Special Design Requirement	5.12-1		



ITEM #2 - Form District Threshold Table Updates - Mobility Standards

- Each of the Form District threshold tables is recommended to be updated to account for the change to mobility standards
- Mobility standards threshold will be met and accounted for except in cases of accessory structure construction, new or expansion, expansion to the building footprint of an existing residential structure, construction of building footprint less than 3,000 square feet in Traditional and Suburban Workplace as well as Campus
- Construction of building footprint less than 1,000 square feet in Neighborhood,
 Suburban Marketplace Corridor and Regional Center
- Threshold tables would lower the square footage requirement from construction of building footprint less than 3,000 square feet to construction of building footprint less than 1,000 square feet in Neighborhood, Suburban Marketplace Corridor and Regional Center
- Mobility standards would be required to be followed at a lower threshold and give greater priority to mobility issues existing within Louisville Metro

ITEM #3 - Add form district specific requirements regarding parking and loading from Chapter 5.5 to each specific form district

- Chapter 5.3.4 Suburban Workplace Form District:
 - D. Dimensional Requirements
 - 5. Loading Areas
 - a. Loading areas shall not be located in the required front or street side setback.
- Chapter 5.3.5 Campus Form District:
- C. Dimensional Requirements

4. Parking Lot Location

- a) Parking Lot Location Parking shall not be located in the required front, side or rear setbacks. No more than 50% of the required parking spaces shall be located between a building and the abutting primary street or private access easement that provides the principal means of access to parcels in major subdivisions.
 - b) Loading docks are not permitted on primary facades.



ITEM #4 - Add reference to parking location within setbacks from Chapter 9.1.5.B to each form district required

- Examples from Traditional Neighborhood and Neighborhood Form Districts:
- Traditional Neighborhood:
- c. Parking and maneuvering is not permitted within the minimum setback areas. Also, see Section 9.1.5.B.
- Neighborhood:
- NOTE: With regard to the setback requirements listed in Tables 5.3.1 & 5.3.2, parking and maneuvering is not permitted within the minimum setback areas. Also, see Section 9.1.5.B.



ITEM #5 - Creation of 5.8.1.A, Vehicular Connectivity

See report for proposed text changes

ITEM #6 - Creation of 5.8.1.B, Pedestrian Connectivity

See report for proposed text changes



ITEM #7 - Creation of 5.8.1.C, Transit Connectivity

- C. Transit Connectivity
 - 1. Required Transit Facilities: New Construction or Expansion of Existing Uses
 - Public transit facilities shall be provided on sites meeting the threshold requirements and located on public transit corridors or planned corridors as listed in Table 5.8.1C.4. The transit agency may take into consideration the professional opinion of other departments and the applicant's desired aesthetic for the development before relocating or establishing a new transit stop and the associated transit infrastructure and transit amenities.
 - b. On sites required to construct or install transit infrastructure and amenities prior to transit service operation to, through, or adjacent to the site, binding elements and/or a note on the plan shall require the owner to complete the transit infrastructure and amenity improvements as required by this section at the time transit service begins operation to, through, or adjacent to the site



ITEM #7 - Creation of 5.8.1.C, Transit Connectivity (continued)

Table 5.8.1.C.1 Required Transit Facilities: New Construction or Expansion of Existing Uses

		Non-	Residential U	Residential Uses		
		1,000 -	3,001 -	greater than	25-100	greater tha
		3,000 s q ft	10,000 sq ft	10,000 sqft	units	100 units
	Reference to code					
s tructure						
Sign and Stanchion	xx	R	R	R	R	R
10' x 8' Landing/Boarding Area	xx	R	R	R	R	R
Connection to Stop ³	xx	R	R	R	R	R
Lighting	xx	R	R	R	R	R
	xx	0	D	R	0	R
Seating	xx	D	R	R	D	R
Tras h Receptacles	xx	0	R	R	D	R
Route Information	xx	0	0	D	0	D
	xx	0	0	D	0	0
Bicycle Racks ⁶	xx	0	0	D	0	D
	xx	0	0	0	0	0
3						
Wayfinding Signage ⁷	xx	0	0	D	0	0
mayintaling orginage						

R- Required: D- Recommended: O- Recommended in Certain instances (case-by-case)

* Update thresholds in this chart based on final recommendations from Form District subcommittee (also an exception listed in report)

¹ Institutional Uses, such as Healthcare Facilities; Churches, Schools, or Universities; Stadiums, Areneas, or similar; or Stations, Terminals, or Similar, require infrastructure and amenities due to the trips generated. For such uses refer to the standards for Non-Residential Uses greater than 10,000 sq ft

² Non-Residential Uses includes Institutional, Commercial, and Industrial Uses.

³ Boarding Areas shall be connected to pads for transit amenities, the curb/edge of pavement, sidewalks, and to internal pedestrian circulation.

⁴ The Access ory Pad should be sized so to locate all amenities while retaining full accessibility (ADA) of the transit stop and adjacent pathways and land uses.

⁵ Transit Amenities contribute to the aesthetic of the street right-of-way and the edge of the property. Refer to Section 10: Landscaping for additional information

⁶ The bike racks recommended at transit stops may be in addition to the minimum parking required in Chapter 9 Section 2. Wherever practical, locate the bike rack so that it may be used by patrons of both the development and the transit stop.

⁷ Wayfinding signage in large master planned projects should include signs marking the direction to transit stops.

⁺ Boarding Areas shall be 10 feet wide, measured parallel to the street, and 8 feet deep. The Transit Design Standards Manual provides illustrations and examples of when to increase the width and depth of boarding areas and associated concrete pads to accommodate specific site conditions and amenities.

ITEM #8 - Update Transit Related Definitions in Chapter 1

- ACCESSORY PAD a concrete slab or paved area that is provided for bus patrons and may contain a bench, shelter, and/ or other transit amenities.
- BOARDING AREA a paved area or sidewalk that allows for the extension of a wheelchair lift and safe boarding and alighting or a person in a wheelchair. A 5-ft by 8-ft concrete pad required at all new or renovation bus/transit stops.
- **BUS STOP** A point along a transit route that is specially designated for bus passenger boarding and alighting. It is defined by a bus stop sign and can be located near-side, far-side, or –if there are no better options- mid-block.
- TRANSIT AMENITY a feature of a transit stop that enhances a rider's transit experience which can include a shelter, bench, trash receptacle, or bike rack, etc.
- TRANSIT CENTER a major transit hub where several transit routes converge and can also include the interchange between varying modes of transportation (walking, biking, and motor vehicles).
- TRANSIT ROUTE— a defined series of stops along one or more streets between two terminal locations designated by a number and/or a name for identification internally and to the public.

ITEM #8 - Update Transit Related Definitions in Chapter 1

- TRANSIT FACILITY a designated location along a transit route where a transit vehicle stops for passengers to board and alight and includes a bus route identifications sign, wheelchair landing pad, lighting and other transit amenities.
- WHEELCHAIR LANDING PAD see Boarding Area
- Major Transit Corridor -Corridors that are served by public transit service seven days a week and with no more than 30 minute daytime headways on weekdays. Currently in the LDC definitions definition revised to categorize the quantity of transit service on a corridor.

Of the transit corridors in Louisville Metro, the segments on which in some combination of route, the number of trips on a typical weekday exceed sixty (60) and service is operated seven (7) days a week.

■ Transit Corridor - the public and private streets and vehicular ways traversed by a current transit route including the demographic characteristics and land use profile within ¾ mile of the corridor. The transit corridor map includes more than one transit route, and more than one transit technology.

ITEM #8 - Update Transit Related Definitions in Chapter 1

- Transit Compatible Development -A development that makes provisions for transit in the design of the site plan. The design may include provisions for bus turning radii, pavement that can support the weight of transit vehicles, limiting conflicts between pedestrians and transit vehicles and between general traffic and transit vehicles, and facilitating walking between buildings and transit stops. Other factors that may be considered include review of internal roadway and parking area, building placement, garage clearances, as well as recommendations on bus zones, shelters, awnings lighting fixtures and other improvements. Currently in the LDC definitions open to revision, no new text drafted
- Infrastructure Facilities and services needed to sustain <u>transportation</u>, industry, residential, commercial and all other land use activities.
 Currently in the LDC definitions- update to include 'transportation'



ITEM #9 - Update to Street Lighting in Chapter 4 for Transit

- Include in the section that addresses
 - street lights
 - lighting at the transit stop
 - to enhance the safety and visibility of transit patrons
- Lighting is recommended to be required at all new transit stops
- Including consideration in the placement of street lights could greatly improve bus stop



ITEM #10 - Creation of 5.8.1.C, Greenway/Trail System Connectivity

- Greenway/Trail System Connectivity
 - Where the property being developed is depicted in a legislatively adopted greenway/trail plan as the recommended location of a community access greenway/trail, an easement or other provisions for public access through the site shall be provided in accordance with the standards found in Chapter 10 Part 5. If the greenway/trail already has been constructed on the abutting property or if the proposed development falls under the category 3 threshold within the applicable form district, the greenway/trail shall be extended through the subject site at time of development of the site.



ITEM #11 - Creation of 5.8.2, Streetscape

- Combines existing elements of Streetscape sections in Chapter 5
- one section under Chapter 5.8.2 known as streetscape
- streetscape requirements will remain for Suburban Form Districts,
 Traditional Form Districts and Downtown Form Districts
- Streetscape will be added to the name of each subsection for further clarification



ITEM #12 - Move Street Design section (currently 5.8.4) to Chapter 6 with Typical Street Sections

- code references street design elements
- more appropriate to the mobility design elements of Chapter 6
- helps to create a more clear separation between mobility standards and their corresponding design elements



ITEM #13 - Move pedestrian court requirement to Form District Open Space requirements section

- Move to Open Space Requirements
 - All residential structures on a pedestrian court shall face a landscaped common open space at least 20 feet wide, in addition to the front yard required in Table 5.3.1. The yard abutting the pedestrian court shall be considered the front yard. Street trees shall be planted in accordance with Section 10.2.8.

